

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

NOVEMBER 14, 2002

ISSUANCE OF ORDERS BY THE BUREAU OF
LAND AND WASTE MANAGEMENT

Hazardous Waste Enforcement

1. Order Type and Number: Consent Order #02-19-IW
Order Date: September 26, 2002
Responsible Party: **Obstetrics & Gynecology of
Columbia PA**
Location/Mailing Address: 1701 St. Julian Place
Columbia, S.C. 29204
County: Richland
Previous Orders: None
Permit Number: SC40-0361G
Violations Cited: Infectious Waste Management
Regulations, 25 S.C. Code Ann. Regs. 61-105 F (4), and R.61-
30 G (12)(b).

Summary: Obstetrics & Gynecology of Columbia PA (Respondent) is an infectious waste generator located in Columbia, South Carolina. The Respondent has violated the Infectious Waste Management Regulations as follows: failure to remit the annual fee as outlined in the Environmental Protection Fees, Regulation 61-30; and failure to remit the fee of \$150.00 for generators of 50 pounds per month through 999 pounds per month.

Action: The Respondent agreed to: now and in the future, ensure compliance with all regulations governing the generation of infectious waste within the State of South Carolina; and pay to the Department a civil penalty in the amount of one thousand, three hundred twenty dollars (**\$1,320.00**). The civil penalty will be paid in one payment.

2. Order Type and Number: Consent Order #02-20-HW
Order Date: September 26, 2002
Responsible Party: **Goer Manufacturing Company**
Location/Mailing Address: 4500 Goer Drive
Charleston, South Carolina
Charleston
County:
Previous Orders: 99-083-A, \$1,500

Permit Number: SCD 003 339 710
Violations Cited: Hazardous Waste Management
Regulations, 25 S.C. Code Ann. Regs. 61-79.265.173(a),
262.34(c)(2), 262.34(c)(1), 265.173(b), 262.34(d),
262.34(d)(5)(ii), 262.44(b).

Summary: Goer Manufacturing Company (Respondent), located in Charleston County, manufactures display cases for department stores and applies paint or varnish to the finished product. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to ensure that hazardous waste containers were closed during storage; failure to remove hazardous waste in excess of 55 gallons from a satellite accumulation area; failure to clearly mark its containers with the words "HAZARDOUS WASTE" or with other words that identify the contents; failure to handle or store containers holding hazardous wastes to prevent leaks; failure to store hazardous wastes onsite for 180 days or less; failure to post the location of spill control equipment and fire extinguishers; and, failure to file or submit an annual report on or before January 31.

Action: The Respondent has agreed to: ensure compliance with the South Carolina Hazardous Waste Management Act, as amended, including all applicable regulations governing the generation of hazardous waste within the State of South Carolina; ensure that hazardous waste containers are closed during storage, except when it is necessary to add or remove waste; ensure that hazardous waste in excess of 55 gallons is removed from the satellite accumulation area; ensure that waste storage containers are properly labeled; ensure that containers holding hazardous wastes are handled and stored in a manner that would not cause them to leak; ensure that hazardous waste is not stored onsite for greater than 180 days without a permit; ensure that the locations of spill control equipment and fire extinguishers are properly posted; ensure that the annual report is submitted on or prior to January 31; and pay a civil penalty in the amount of four thousand, eight hundred sixty dollars (\$4,860.00).

3. Order Type and Number: Consent Order #02-22-HW
Order Date: October 11, 2002
Responsible Party: **Safety-Kleen**
(Pinewood), Inc.
Location/Mailing Address: 1301 Gervais Street
Suite 300

Columbia, SC 29201
County: Sumter
Previous Orders: 99-50-HW, (\$6,000); 99-51-HW, (\$6,000); 2000 HW Emergency Order, 00-18-HW; (\$5,000); 00-24-HW, (\$15,000); 01-24-HW, (\$90,000).
Permit Number: SCD 0070 375 985
Violations Cited: Hazardous Waste Management Act §44-56-130(2), Hazardous Waste Management Regulations, 25 S.C. Code Ann. Regs. 61-79.270.30(1)(11)/Permit Condition I.D.17, R.61-79.264.115, R.61-79.264.31.

Summary: Safety-Kleen (Pinewood), Inc. (the Respondent) has violated the South Carolina Hazardous Waste Management Regulations as follows: failure to submit relevant facts or information in a permit application; failure to submit to the Department closure certifications signed by an independent registered professional engineer; and, failure to design, construct, maintain, and operate its facility to minimize the possibility of any unplanned sudden or non-sudden release of hazardous waste.

Action: The Respondent agreed to: retain an independent registered professional engineer to review required certifications submitted by the Respondent since June 1998 and submit certifications or discrepancy reports; continue to provide any updated information received concerning liner compatibility testing; submit to the Department for review and approval, a plan to inspect, monitor, report and address the trenches of operational berm of specified landfill cells; and pay a civil penalty in the amount of twenty four thousand, six hundred dollars (**\$24,600.00**).

Solid Waste Enforcement

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| <u>Order Type and Number:</u> | Administrative Order #02-32-SW |
| <u>Order Date:</u> | June 14, 2002 |
| <u>Responsible Party:</u> | Eugene Easler |
| <u>Location/Mailing Address:</u> | Easler's Bulldozer &
Landscaping
159 Crest Road
Edgefield, SC 29824 |
| <u>County:</u> | Edgefield |
| <u>Previous Order(s):</u> | None |
| <u>Permit Number:</u> | None |
| <u>Violation(s) Cited:</u> | South Carolina Solid Waste |

Policy and Management Act of 1991, (2002), 25A S.C. Code Ann. Reg. 61-107.11, Part IV, A.8. and B.1. (Supp. 2001).

Summary: Mr. Easler unlawfully disposed of construction and demolition (C&D) debris, including wood coated with lead-based paint, land-clearing debris (LCD), and miscellaneous other solid wastes without a permit from the Department. This constitutes a violation of the Construction, Demolition and Land-Clearing Debris Landfills Regulation. The site has not been cleaned up as required. The order has not been appealed.

Action: Administrative Order 02-32-SW requires that Mr. Easler properly dispose of the debris on the site and submit receipts for proper disposal to the Department, by November 4, 2002. The Order also requires that Mr. Easler pay to the Department a civil penalty in the amount of sixteen thousand, eight hundred seventy-five dollars (**\$16,875.00**) by November 4, 2002.

Underground Storage Tank Enforcement

1. Order Type and Number: Consent Order 02-2787-UST
Order Date: September 18, 2002
Owner/Operator: **Branton's Stores, Inc.**
Facility Name/Address: Branton's C Mart
9821 S Hwy 905
Longs, S.C.

Branton's Hardware
7406 S Hwy 905
Longs, S.C.
County: Horry
UST Permit Numbers: 11431 and 11438
Previous UST Orders: None
Violations Cited: UST Control
Regulations, R.61-92, §280.93(a), R.61-92, §280.110(c).

Summary: A file review revealed that the owner/ operator had failed to demonstrate financial responsibility and submit records to the Department upon request two years in a row.

Action: The owner/operator corrected the violations within 30 days and paid a civil penalty of one hundred dollars (**\$100.00**).

2. Order Type and Number: Consent Order 02-2901-UST
Order Date: October 4, 2002
Owner/Operator: **Highway Service Ventures, Inc.**
Facility Name: Petro Shopping Center
Facility Address: 3001 TV Rd.
 Florence, S.C.
County: Florence
UST Permit Number: 12479
Previous UST Orders: None
Violations Cited: UST Control Regulations, R.61-92, §280.20(c)(1)(ii), R.61-92, §280.34(c).

Summary: A compliance inspection revealed that the owner/operator had failed to provide an adequate overfill prevention system in an UST and submit records to the Department upon request.

Action: The owner/operator corrected the violations within 30 days and paid a civil penalty of five hundred dollars (**\$500.00**).

3. Order Type and Number: Consent Order 02-2800-UST
Order Date: October 10, 2002
Owners/Operator: **G.W. Young Distributing, Inc.**
G.W. Young, and James L. Jackson
Facility Name: Griffin's Mart
Facility Address: 685 Columbia Rd.
 Chester, S.C.
County: Chester
UST Permit Number: 02115
Previous UST Orders: None
Violations Cited: UST Control Regulations, R.61-92, §280.65(a), R.61-92, §280.34(c).

Summary: A file review revealed that the owner/operator failed to submit a Tier II Assessment Report for a prior UST release in accordance with a schedule established by the Department

Action: The owner/operator agreed to correct the violations and submit the compliance data within 30 days. If the documentation is received as agreed, the Department will

suspend the civil penalty of one thousand one hundred dollars (\$1,100.00).

4. Order Type and No: Admin. Order #02-1687-UST
Order Date: July 3, 2002
Owner/Operator: **Lana A. Ghunaim**
Facility Name: Blue Ridge Store LLC
Facility Address: 3690 N Hwy 14, Greer
County: Greenville
UST Permit Number: 15251
Previous UST Orders: None
Violations Cited: UST Control Regulations,
R.61-92, §280.43(a), R.61-92, §280.20(d)(2), R.61-92,
§280.20(c)(1)(ii), R.61-92, §280.31(b), R.61-92,
§280.34(c)

Summary: A compliance inspection and file review revealed that the owner/operator had failed to conduct inventory control properly, install drop tubes and overfill prevention equipment, have the corrosion protection system tested, and provide records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of five thousand three hundred forty five dollars (**\$5,345.00**) when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance. The Administrative Order was not appealed.

5. Order Type and Number: Order of Dismissal
02-ALJ-07-0274-CC
Order Date: September 16, 2002
Owner/Operator: **Kevin Helmly**
Facility Name: Buddy's Texaco
Facility Address: 12340 Old Hwy 6
Eutawville, S.C.
County: Orangeburg
UST Permit Number: 13186
Previous UST Orders: CO 00-0279-UST, (\$1,500); CO
00-0711-UST, (\$500).
Violations Cited: UST Control Regulations,
R.61-92, §280.44(a), R.61-92, §280.34(c).

Summary: A file review revealed that the owner/operator had failed to check the line leak detector function annually for the underground storage tank system, and provide those records to

the Department upon request.

Action: On May 28, 2002, the Department issued Administrative Order 02-1525-UST when it became clear that the owner/operator did not intend to enter into a consent order or come into compliance. The owner appealed the Order. However, he did not submit the pre-hearing statement required by the Administrative Law Judge Division, and an Order of Dismissal was issued. Prior to issuance of the Order of Dismissal, the owner/operator corrected the violation, but failed to pay the civil penalty of one thousand seven hundred forty dollars (\$1,740.00).

6. <u>Order Type and Number:</u>	Final Order and Decision 01-ALJ-07-0564-CC
<u>Order Date:</u>	September 18, 2002
<u>Owner/Operator:</u>	Melton Used Cars, Inc. a/k/a Melton Lease Cars, Inc.
<u>Facility Name:</u>	Melton Used Cars, Inc.
<u>Facility Address:</u>	8880 Asheville Hwy. Spartanburg, S.C.
<u>County:</u>	Spartanburg
<u>UST Permit Number:</u>	08494
<u>Previous UST Orders:</u>	None
<u>Violation Cited:</u>	UST Control Regulations, R.61-92, §280.65 and Superb Act §44-2-60(A).

Summary: A file review revealed that the owner/operator failed to submit a Tier I Assessment Report for a prior UST release and pay overdue registration fees in the amount of two thousand eight hundred dollars (\$2,800.00).

Action: On November 14, 2001, the Department issued Administrative Order 00-0555-UST when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance. The owner appealed the Order and a hearing before the Administrative Law Judge was scheduled. The contested case was heard on June 25, 2002, and the Administrative Law Judge subsequently issued this Final Order and Decision. The owner/operator submitted the Tier I assessment report and paid overdue registration fees of two thousand eight hundred dollars (\$2,800.00). The civil penalty of ten thousand dollars (\$10,000.00) was **suspended**.

Violation(s) Cited: 25 A S.C. Code Ann. Regs. 61-58.1(B)(1).

Summary: Woodmere at Table Rock (Respondent) is a planned resort community that is an expansion of the above-referenced facility, both located in the above-referenced County. An inspection of the facility revealed that the Respondent failed to obtain a construction permit prior to the installation of approximately three thousand one hundred twenty (3,120) linear feet of six (6) inch water line for its PWS.

Action: The Respondent has agreed to: (1) conduct all current and future operations pertaining to the Woodmere at Table Rock PWS in accordance with all applicable State and Federal regulations; (2) within thirty (30) days of the executed Order date, have the remaining construction for the Woodmere at Table Rock PWS and required water testing completed; (3) prior to placing into operation, contact the District office to schedule a final inspection and obtain approval; and, (4) pay a civil penalty of two thousand one hundred dollars (**\$2,100.00**).

2. <u>Order Type and No.:</u>	Consent Order #02-202-DW
<u>Order Date:</u>	September 17, 2002
<u>Responsible Party:</u>	John Benton
<u>Facility:</u>	Sunrise Circle PWS
<u>Location/Mailing Address:</u>	110 Young Street Greenwood, S.C. 29646
<u>County:</u>	Greenwood
<u>Previous Order(s):</u>	None
<u>Permit Number:</u>	2450042
<u>Violation(s) Cited:</u>	25A S.C. Code Ann. Regs. 61-58.11(C), (G).

Summary: Mr. John Benton (Respondent) owns and is responsible for the proper operation and maintenance of the public water system (PWS) that serves the residents of the above-referenced facility located in Greenwood County. Records reveal that the Respondent failed to submit the required reports following an action level exceedance (ALE) for copper.

Action: The Respondent has agreed to: (1) within fifteen (15) days of the executed Order date, submit his intended use for the existing well as follows: (A) if the Respondent's plan is to no longer use the existing well or, (B) use the existing well for irrigation purposes; and, (2) remove all other

residents of the Sunrise Circle PWS by October 1, 2002.

3. <u>Order Type and No.:</u>	Consent Order #02-201-DW
<u>Order Date:</u>	September 13, 2002
<u>Responsible Party:</u>	Calvin Hall
<u>Facility:</u>	Rental Property
<u>Location/Mailing Address:</u>	190 Hoyl Hill Road Gaffney, S.C. 29340
<u>County:</u>	Cherokee
<u>Previous Order(s):</u>	None
<u>Permit Number:</u>	None
<u>Violation(s) Cited:</u>	25A S.C. Code Ann. Regs. 61-58.1(B)(1), (K)(1).

Summary: Calvin Hall (Respondent) is the owner and is responsible for rental property consisting of three (3) mobile homes connected to one well built to private well standards located in the above-referenced County. An inspection of the Respondent's rental property revealed that the Respondent failed to obtain a construction permit for a PWS and failed to place an approved PWS into operation.

Action: The Respondent has agreed to: (1) conduct all current and future operations pertaining to the PWS for his rental property in accordance with all applicable State and Federal laws and regulations; (2) within thirty (30) days of the executed Order date, have only one mobile home connected to the current well located at 785-789 River Road; all other wells must be disconnected or additional residential wells must be installed so that an individual well supplies each mobile home; (3) within thirty (30) days of the Respondent's decision to install individual wells, the District must be notified; upon deciding to install individual wells for each mobile home, the construction of the wells must be completed within sixty (60) days; (4) contact the District office to schedule an inspection within five (5) days of completing the disconnection(s) or individual well installations; (5) within thirty (30) days of the executed Order date, pay a civil penalty of one thousand five hundred dollars (**\$1,500.00**).

4. <u>Order Type and No.:</u>	Consent Order #02-205-DW
<u>Order Date:</u>	October 01, 2002
<u>Responsible Party:</u>	Robert Gregory
<u>Facility:</u>	The Dock Restaurant
<u>Location/Mailing Address:</u>	P.O. Box 151 Moncks Corner, S.C. 29461

<u>County:</u>	Berkeley
<u>Previous Order(s):</u>	None
<u>Permit Number:</u>	0870204
<u>Violation(s) Cited:</u>	S.C. Code Ann. §44-55-40(a)(c)

Summary: Robert Gregory (Respondent) is responsible for the proper operation and maintenance of the public water system (PWS) that serves the employees and customers of its restaurant located in the above-referenced County. Records reveal that the Respondent modified its PWS without obtaining the appropriate Department construction and operation permits.

Action: The Respondent has agreed to: (1) immediately begin and continue to comply with all applicable State and Federal laws and regulations, as they pertain to the operation of a PWS; (2) within thirty (30) days of the executed Order date, permanently disconnect the treatment system from the well system; and, (3) within five (5) days after the disconnection is made, contact the Department's Trident EQC District Office and request an inspection to verify the disconnection.

5. <u>Order Type and No.:</u>	Consent Order #02-211-DW
<u>Order Date:</u>	October 03, 2002
<u>Responsible Party:</u>	Desai Enterprises
<u>Facility:</u>	Comfort Inn Public Swimming
Pool	
<u>Location/Mailing Address:</u>	2227 Highway 21 Beaufort, S.C. 29902
<u>County:</u>	Beaufort
<u>Previous Order(s):</u>	01-102-DW
<u>Permit Number:</u>	07-313-D
<u>Violation(s) Cited:</u>	25 A S.C. Code Ann. Regs. 61-51(J).

Summary: Desai Enterprises d/b/a Comfort Inn (Respondent) is responsible for the proper operation and maintenance of a public swimming pool in the above-referenced County. Records reveal that the Respondent failed to properly operate and maintain the public swimming pool at the above-referenced Site.

Action: The Respondent has agreed to: (1) properly operate and maintain its public swimming pool in accordance with State regulations; and, (2) within thirty (30) days of the executed Order date, pay a civil penalty of two thousand four hundred and thirty dollars (**\$2,430.00**).

6. <u>Order Type and No.:</u>	Consent Order #02-206-DW
<u>Order Date:</u>	October 04, 2002
<u>Responsible Party:</u>	Lost Colony HOA, Inc.
<u>Facility:</u>	Lost Colony PWS
<u>Location/Mailing Address:</u>	P.O. Box 11258 Rock Hill, S.C. 29731
<u>County:</u>	York
<u>Previous Order(s):</u>	None
<u>Permit Number:</u>	4650019
<u>Violation(s) Cited:</u>	S.C. Code Ann. Regs. 61-58.5(H).

Summary: Lost Colony Homeowners Association, Inc. (Respondent) is responsible for the proper operation and maintenance of the PWS that serves the residents of the above-referenced facility located in York County. Records reveal that the Respondent experienced multiple exceedances of the maximum contaminant level (MCL) for bacteriological contaminants.

Action: The Respondent has agreed to: (1) immediately begin and continue to abide by all applicable State and Federal laws, as they pertain to the operation of a PWS; (2) within thirty (30) days of the executed Order date, submit a corrective action plan (CAP) detailing procedures that will be taken to prevent the recurrence of the referenced violations for Department review and approval.

7. <u>Order Type and No.:</u>	Consent Order #02-219-DW
<u>Order Date:</u>	October 14, 2002
<u>Responsible Party:</u>	Balaji Enterprises, LLC
<u>Facility:</u>	Travelodge Inn Pub. Swim. Pool
<u>Location/Mailing Address:</u>	755 Wade Hampton Road Greenville, S.C. 29609
<u>County:</u>	Greenville
<u>Previous Order(s):</u>	None
<u>Permit Number:</u>	23-197-1
<u>Violation(s) Cited:</u>	24 A S.C. Code Ann. Regs. 61-51.

Summary: Balaji Enterprises, LLC (Respondent) is responsible for the proper operation and maintenance of a public swimming pool in the above-referenced County. Records reveal that the Respondent failed to properly operate and maintain the public swimming pool at the above-referenced Site.

Action: The Respondent has agreed to: (1) properly operate and maintain its public swimming pool in accordance with State regulations; and, (2) within thirty (30) days of the executed Order date, pay a civil penalty of two thousand and forty dollars (**\$2,040.00**).

Water Pollution Enforcement

1. <u>Order Type and No.:</u>	Consent Order #02-203-W
<u>Order Date:</u>	September 18, 2002
<u>Responsible Party:</u>	SHREE of Aiken, Inc.
<u>Facility:</u>	Inn of Aiken WWTF
<u>Location/Mailing Address:</u>	110 Frontage Road Aiken, S.C. 29801
<u>County:</u>	Aiken
<u>Previous Order(s):</u>	None
<u>Permit Number:</u>	ND0065871
<u>Violation(s) Cited:</u>	S.C. Code Ann. §48-1-110(d); 24 S.C. Code Ann. Regs. 61-9.505.45

Summary: SHREE of Aiken, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving the above-referenced facility located in Aiken County. A review of the Respondent's file revealed that the Respondent failed to comply with the permitted discharge limits for biochemical oxygen demand (BOD), flow, dissolved oxygen (DO), and pH as required by the Land Application Permit.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with all applicable State and Federal regulations; (2) within sixty (60) days of the executed Order date, submit to the Department three (3) copies of a diagnostic evaluation (DE) of the WWTF conducted jointly by a State registered professional engineer and an independent (not employed by the WWTF) State certified WWTF operator of proper grade; (3) the DE shall be used to determine if the WWTF can meet NPDES permit limits as designed, and identify operational techniques and maintenance procedures that will be implemented to prevent effluent violations; (4) the DE, signed and stamped by the engineer, shall include, but not be limited to, a review of the design criteria for the WWTF stating whether the facility can or cannot meet permit limits as designed; (5) the operator shall submit DE analysis data with process control

recommendations that will be utilized in making sound operational decisions at the facility to prevent effluent violations; (6) if the DE indicates that construction of an upgrade is required to meet limits, then ninety (90) days of the executed Order date, submit three (3) copies of a preliminary engineering report (PER) with a schedule of implementation. The schedule, upon Department approval, shall be incorporated into and become an enforceable part of this Order.

2. Order Type and No.: Consent Order #02-204-W
Order Date: September 23, 2002
Responsible Party: **East Richland County PSD**
Facility: East Richland County
PSD/WWTF
Location/Mailing Address: 721 Olive Street
Columbia, S.C. 29205
County: Richland
Previous Order(s): #01-181-W, (\$29,600.00); 98-
054-W, (\$28,800.00).
Permit Number: SC0038865
Violation(s) Cited: 24 S.C. Code Ann. Regs. 61-
9.122.41(a)(1); S.C. Code Ann. §48-1-110(d).

Summary: East Richland County Public Service District (PSD) (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving the residents and businesses of its designated service area located in the above-referenced county. A review of the Respondent's file revealed that the Respondent exceeded the permitted discharge limits for chronic toxicity (CTOX) as specified in the NPDES permit.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within thirty (30) days of the executed Order date, submit a corrective action plan (CAP) addressing compliance with CTOX limits; and, (3) within thirty (30) days of the executed Order date, pay a civil penalty of five thousand one hundred dollars (**\$5,100.00**).

3. Order Type and No.: Consent Order #02-207-W
Order Date: September 25, 2002
Responsible Party: **United Utility Companies,**
Inc.
Facility: Trollingwood Subdivision
WWTF

Location/Mailing Address: P.O. Box 4509
West Columbia, S.C.
29171
County: Greenville
Previous Order(s): 00-075-W, (\$3,500.00) River
Hills; 01-095-W, (\$7,000.00) Glenn Village/SC0030651; 01-
165-W, (\$8,000.00) Chambert Forest/0035716; 02-037-W,
(\$5,600.00) LamplighterVillage/0030112; 02-109-W,
(\$4,200.00) Watergate/0027162; 02-157-W, (\$8,400.00)
Kings Grant/0021911.
Permit Number: SC0026611
Violation(s) Cited: 24 S.C. Code Ann. Regs. 61-
9.122.41(a), (e); S.C. Code Ann. § 48-1-110(d).

Summary: United Utilities Companies, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving the above-referenced Subdivision located in Greenville County. Discharge Monitoring Reports (DMRs) submitted by the Respondent reveal that the Respondent failed to operate and maintain the WWTF and exceeded the permitted discharge limits for ammonia-nitrogen (NH₃-N), total residual chlorine (TRC), total suspended solids (TSS), dissolved oxygen (DO), and fecal coliform (FC).

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with applicable State and Federal regulations; (2) within thirty (30) days of the executed Order date, submit a CAP which will be implemented to prevent future effluent violations; (3) within ninety (90) days of the executed Order date, submit an updated operation & maintenance (O&M) manual, containing O&M instructions for all equipment and appurtenances associated with the WWTF; and, (4) within thirty (30) days of the executed Order date, pay a civil penalty of two thousand eight hundred dollars **(\$2,800.00)**.

4. Order Type and No.: Consent Order #02-208-W
Order Date: September 25, 2002
Responsible Party: **United Utility Companies, Inc.**
Facility: Canterbury Subdivision WWTF
Location/Mailing Address: P.O. Box 4509
West Columbia, S.C. 29171
County: Greenville
Previous Order(s): (See Consent Order No. 3
above.)
Permit Number: SC0028941
Violation(s) Cited: S.C. Code Ann. §48-1-110(d), -

1-90(a); 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1); 25 S.C. Code 61-68.E.5(a)(c).

Summary: United Utility Companies, Inc.(Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving the above-referenced Subdivision. A review of the Respondent's file revealed that the Respondent failed to properly operate and maintain the WWTF in accordance with guidelines set forth in its permit and that it discharged waste into the environment in a manner other than in compliance with a permit issued by the Department.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with all applicable State and Federal regulations; (2) within sixty (60) days of the executed Order date, submit to the Department three (3) copies of a diagnostic evaluation (DE) of the WWTF; (3) determine if the WWTF can meet NPDES permit limits as designed; (4) if the DE indicates that construction of an upgrade is required to meet limits, then within ninety (90) days of the executed Order date, submit three (3) copies of a preliminary engineering report (PER) with a schedule of implementation; (5) within ninety (90) days of the executed Order date, submit an updated operation & maintenance (O&M) manual, containing O&M instructions for all equipment and appurtenances associated with the WWTF; and, (6) within thirty (30) days of the executed Order date, pay a civil penalty of seven thousand eight hundred dollars (**\$7,800.00**).

5. <u>Order Type and No.:</u>	Consent Order #02-210-W
<u>Order Date:</u>	October 01, 2002
<u>Responsible Party:</u>	Town of Chesterfield
<u>Facility:</u>	Town of Chesterfield WWTF
<u>Location/Mailing Address:</u>	P.O. Box 350 Chesterfield, S.C. 29709
<u>County:</u>	Chesterfield
<u>Previous Order(s):</u> (suspended).	#02-041-W, \$0; 98-113-W, \$7,000
<u>Permit Number:</u>	SC0025232
<u>Violation(s) Cited:</u>	S.C. Code Ann. Regs. 61-9.122.41(e)(1)(6)(i), -67.300C, -9.122.21(a)(2); S.C. Code Ann. 48-1-110(d)(a)(3), -90(a).

Summary: The Town of Chesterfield (Respondent) owns and is responsible for the proper operation and maintenance of its WWTF and associated wastewater collection system (WWCS), including

lift stations (LSs) serving the residents and businesses of its designated service area in the above-referenced County. A review of files revealed that the Respondent failed to properly operate and maintain its LSs in accordance with the NPDES permit; placed a LS into operation without a permit; and, failed to report unauthorized discharges of wastewater to the Department as required by the NPDES permit.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within thirty (30) days of the executed Order date, submit a summary of corrective actions taken to prevent SSOs; (3) within thirty (30) days of the executed Order date, implement temporary measures to prevent SSOs at the high school LS, and submit a summary report detailing the measures taken; (4) within sixty (60) days of the executed Order date, submit a CAP, including an implementation schedule, for the upgrade of the high school LS; (5) the schedule, upon approval shall become an enforceable part of this Order; (6) within twenty-four (24) hours after detection, orally report to the Department all wastewater spills which may pose a threat to human health and/or the environment, all wastewater spills which enter surface waters of the State, and/or all wastewater spills which exceed five hundred (500) gallons; (7) within five (5) days after detection, all wastewater spills, referenced above, shall be reported to the Department on and in accordance with DHEC Sanitary Sewer Overflow or Pump Station Failure Report Form; (8) within sixty (60) days of the execution date of this Order, begin development of a capacity, Management, Operation and Maintenance (cMOM) audit; (9) within one hundred eighty (180) days of the executed Order date, submit to the Department a corrective action plan and schedule to address priority deficiencies in the WWCS; (10) within one hundred eighty (180) days of the executed Order date and every six (6) months until this Order is closed, submit to the Department a summary report of corrective actions addressing deficiencies in the WWCS; (11) within thirty (30) days of the executed date of this Order, submit an implementation plan for increasing sewer rates; and, (12) pay a civil penalty of sixteen thousand dollars (**\$16,000.00**).

6. Order Type and No.:
Order Date:
Responsible Party:
Facility:

Consent Order #02-216-W
October 08, 2002
Town of Ninety Six
Town of Ninety Six WWTF

Location/Mailing Address: P.O. Box 8
Ninety Six, S.C. 29666
County: Greenwood
Previous Order(s): #01-186-W, (\$15,300.00
Suspended); 02-173-W, (\$14,000.00 Suspended).
Permit Number: SC0036048
Violation(s) Cited: SC Code Ann. §48-1-110(d);
24 S.C. Code Ann. Regs 61-9.122.41(a)(1).

Summary: The Town of Ninety Six (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving the residents and businesses in its designated service area in the above-referenced County. A review of the Respondent's file reveals that the Respondent failed to comply with the permitted discharge limits for flow and chronic toxicity as contained in the NPDES permit.

Action: Respondent has agreed to: (1) operate and maintain the WWTF in accordance with the NPDES Permit and Department regulations and guidelines; (2) within twenty-four (24) hours after detection, orally report to the Department all wastewater spills which may pose a threat to human health and/or the environment, all wastewater spills which enter surface waters of the State, and/or all wastewater spills which exceed five hundred (500) gallons; (3) within five (5) days after detection, all wastewater spills, referenced above, shall be reported to the Department on and in accordance with DHEC Sanitary Sewer Overflow or Pump Station Failure Report Form; (4) within sixty (60) days of the execution date of this Order, begin development of a cMOM audit; (5) within one hundred eighty (180) days of the executed Order date, submit to the Department a corrective action plan and schedule to address priority deficiencies in the WWCS; (6) within one hundred eighty (180) days of the executed Order date and every six (6) months until this Order is closed, submit to the Department a summary report of corrective actions addressing deficiencies in the WWCS; (7) within ninety (90) days of the effective date of this Order, submit to the Department a financial plan for the operation and maintenance of the WWTF; (8) within thirty (30) days of the executed Order date, pay a civil penalty of four thousand dollars (**\$4,000.00**).

7. Order Type and No.: Consent Order #02-217-W
Order Date: October 08, 2002
Responsible Party: **Easley Combined Utilities**

Facility: Middle Branch WWTF
Location/Mailing Address: P.O. Box 619
Easley, S.C. 29640-0619
County: Anderson
Previous Order(s): 99-001-W, (\$9,900.00); 99-019-W, (\$10,000.00); 00-003-W, (\$14,000.00); 02-067-W, (\$4,200.00).
Permit Number: SC0039853
Violation(s) Cited: S.C. Code Ann. §48-1-110(d); 24 S.C. Code Ann. Regs 61-9.122.41(a).

Summary: Easley Combined Utilities (Respondent) owns and is responsible for the proper operation and maintenance of the above-referenced WWTF serving the residents and businesses in its designated service area located in Anderson County. A review of DMRs submitted by the Respondent indicated that the WWTF has failed to comply with chronic toxicity limits contained in its NPDES permit.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with applicable State and Federal regulations; (2) within thirty (30) days of the executed Order date, submit a summary report of corrective actions already taken to eliminate toxicity; (3) within sixty (60) days of the executed Order date, submit a copy of the results of the toxicity root cause investigation conducted by the Respondent to determine the cause and/or sources of the toxicity failures at the WWTF; and, (4) within thirty (30) days of the executed Order date, pay a civil penalty of four thousand two hundred dollars (\$4,200.00).

8. Order Type and No.: Consent Order #02-218-W
Order Date: October 08, 2002
Responsible Party: **Daufuskie Island Club**
Facility: Daufuskie Island Club WWTF
Location/Mailing Address: P.O. Box 4000
Village of Pinehurst, N.C.
County: Beaufort
Previous Order(s): None
Permit Number: ND0068179
Violation(s) Cited: S.C. Code Ann. §48-1-110(d), -90(a); 24 S.C. Code Ann. Regs. 61-9.505.41(e)(a).

Summary: Daufuskie Island Club (Respondent) owns and is

responsible for the proper operation and maintenance of the above-referenced facility located in Beaufort County. A review of the Respondent's file revealed that the Respondent failed to at all times properly operate and maintain the WWTF in accordance with the Land Application permit; and also, failed to comply with the schedule of compliance.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within ten (10) days of the executed Order date, submit verification that the aerators are operational; (3) within thirty (30) days of the executed Order date, pay a civil penalty of seven thousand dollars **(\$7,000.00)**.

9. <u>Order Type and No.:</u>	Consent Order #02-221-W
<u>Order Date:</u>	October 15, 2002
<u>Responsible Party:</u>	Seppala Homes of Georgia, Inc.
<u>Facility:</u>	Beechwood Place Subdivision
<u>Location/Mailing Address:</u>	522 Silver Ridge Drive Greer, S.C. 29651
<u>County:</u>	Greenville
<u>Previous Order(s):</u>	None
<u>Permit Number:</u>	None
<u>Violation(s) Cited:</u>	S.C. Code Ann. §48-1-90(a); 25 S.C. Code Ann. Regs. 61-68(E)(5)(d).

Summary: Seppala Homes of Georgia, Inc. (Respondent) owns and is responsible for development and construction activity at the above-referenced facility in Greenville County. Inspections of the Site revealed that the Respondent discharged inorganic matter into waters of the State, not in compliance with a permit issued by the Department.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within thirty (30) days of the executed Order date, submit a report, completed and stamped by a State registered professional engineer, certifying that construction of the necessary storm water control devices are installed and properly functioning to prevent further discharges of sediment from the Site; and, (3) within thirty (30) days of the executed Order date, pay a five thousand six hundred dollar **(\$5,600.00)** civil penalty in four (4) quarterly payments beginning November 15, 2002.

ISSUANCE OF ORDERS BY THE BUREAU OF AIR QUALITY

1. Order Type and No.: Consent Order #02-086-A
Order Date: September 17, 2002
Responsible Party: **McLeod Regional Medical Center**
Location/Mailing Address: 555 East Cheves Street
Florence, S.C. 29501
County: Florence
Previous Order(s): 99-054-A (\$3,000.00)
Permit No.: 1040-0048
Violation(s) Cited: Consent Order 99-054-A; U.S.
EPA NESHAP 40 CFR 61.145(b), Standard for Demolition and
Renovation, and South Carolina Air Pollution Control
Regulation 61-86.1, Sections IV.B.5., V.B.1.a., and
XIII.C.2., Standards of Performance for Asbestos
Projects.

Summary: McLeod Regional Medical Center, located in Florence, South Carolina is a hospital facility that provides medical services to the surrounding community and is owner of the former Stoudenmire/Dowling Funeral Home. On April 4, 2001, Department personnel conducted an investigation of the former funeral home and observed a contractor demolishing the building. The investigation also found that regulated asbestos-containing material had been disturbed during the demolition. McLeod Regional Medical Center failed to provide the Department with written notification of intention to demolish the building, obtain an asbestos demolition project license prior to beginning demolition, and ensure that a licensed asbestos abatement contractor removed regulated asbestos-containing material prior to the demolition.

Action: On June 14, 2002, the Department issued McLeod Regional Medical Center a Notice of Violation and an Enforcement Conference, and an enforcement conference was held on July 17, 2002. A Consent Order was negotiated in which McLeod Regional Medical Center agreed to provide written notification prior to beginning demolition of any building or structure; ensure that asbestos demolition project licenses are obtained prior to beginning demolition of any building or structure; ensure that all asbestos-containing materials are properly removed prior to demolishing any building or structure; and pay a civil penalty in the amount of eight thousand eight hundred dollars (\$8,800.00). The penalty has been paid.

2. Order Type and No.: Consent Order 02-088-A
Order Date: September 23, 2002
Responsible Party: **Ray Lemon Bulldozing**
Location/Mailing Address: 140 Robinson Farm Road
Jonesville, S.C. 29353
County: Spartanburg
Previous Order(s): 99-071-A, (\$1,500)
Permit No.: None
Violation(s) Cited: S. Environmental Protection
Agency 40 CFR 61.145 (a), Standard for Demolition and
Renovation, and South Carolina Air Pollution Control
Regulation 61-86.1, Section IV.B.1. Asbestos Projects
General Information, U.S. Environmental Protection Agency
40 CFR 61.145 (b), Standard for Demolition and Renovation,
and South Carolina Air Pollution Control Regulation 61-
86.1, Section XIII.B., Standard For Demolition, Consent
Order 99-071-A.

Summary: Ray Lemon Bulldozing, located in Jonesville, South Carolina, is a land clearing and grading contractor. An investigation conducted on September 6, 2001, indicated that Ray Lemon Bulldozing failed to conduct a building inspection to determine the presence, quantity, and location of any asbestos; and notify the Department at least ten (10) days prior to demolishing a regulated structure, as required by Department regulations.

Action: On April 19, 2002, the Department issued Ray Lemon Bulldozing a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on May 7, 2002. A Consent Order was negotiated in which Ray Lemon Bulldozing agreed to comply with State and Federal asbestos regulations, and pay a civil penalty in the amount of four thousand eight hundred dollars (**\$4,800.00**). The penalty has been paid.

3. Order Type and No.: Consent Order 02-089-A
Order Date: September 17, 2002
Responsible Party: **Armstrong Textiles**
Location/Mailing Address: 5899 North Main Street
Cowpens, S.C. 29330
County: Spartanburg
Previous Order(s): 97-002-A, (\$1,000)

Permit No.: 2060-0080
Violation(s) Cited: South Carolina Air Pollution Control Regulation 61-62.1, II, Permit Requirements, South Carolina Air Pollution Control Regulation 61-62.6, Section III, Control of Fugitive Particulate Matter Statewide, Consent Order 97-002-A.

Summary: Armstrong Textiles, located in Cowpens, South Carolina, is a facility that processes cotton mote, synthetic fiber, and waste from the textile manufacturing industry. An investigation conducted on October 19, 2001, indicated that Armstrong Textiles had relocated its facility and installed additional equipment prior to obtaining the required Department-issued permits. Additionally, the facility exhibited fugitive emissions from its processes in excess of the maximum allowable 20% opacity. On January 14, 2002, the Department received construction permit applications for the new facility location including the new process.

Action: On May 3, 2002, the Department issued Armstrong Textiles a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on May 29, 2002. A Consent Order was negotiated in which Armstrong Textiles agreed to comply with Department permitting requirements, control fugitive emissions, and pay a civil penalty in the amount of seven thousand dollars (**\$7,000.00**) payable in ten equal monthly payments of seven hundred dollars (\$700.00). The first penalty payment has been received.

4. Order Type and No.: Consent Order #02-090-A
Order Date: September 17, 2002
Responsible Party: **Isola Laminate Systems Corp.**
Location/Mailing Address: 500 Westinghouse Drive
Pendleton, S.C. 29670
County: Anderson
Previous Order(s): None
Permit No.: 0200-0058
Violation(s) Cited: S.C. Code Ann. §48-1-90(a).

Summary: Isola Laminate Systems Corp. ("Isola"), located in Pendleton, South Carolina is an electronic-grade laminate production facility. The Department issued Part 70 ("Title V") Air Quality Operating Permit TV-0200-0058 to Isola, effective

November 1, 2001. On June 7, 2001, Isola conducted a Department-approved source test on Thermal Oxidizer No. 3. The source test indicated that the average destruction removal efficiency ("DRE") was 93.3%, which is a violation of Isola's permitted minimum DRE of 98%. The results of a subsequent Department-approved source test conducted on September 25, 2001, indicated compliance with the permitted DRE limit.

Action: On May 22, 2002, the Department issued Isola a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on June 20, 2002. A Consent Order was negotiated in which Isola agreed to maintain compliance with the DRE limit and pay a civil penalty in the amount of nine thousand dollars (\$9,000.00).

5. <u>Order Type and No.:</u>	Consent Order #02-091-A	
<u>Order Date:</u>	September 23, 2002	
<u>Responsible Party:</u>	M. L. Corley & Sons Sawmill, Inc.	
<u>Location/Mailing Address:</u>	4836 Sunset Boulevard	
	Lexington, S.C.	29071
<u>Counties:</u>	Lexington	
<u>Previous Order(s):</u>	None	
<u>Permit No.:</u>	1560-0068	
<u>Violation(s) Cited:</u>	U.S. EPA 40 CFR 60.48c(a) and 60.7(a); S.C. Code Ann. § 48-1-110(d); and South Carolina Air Pollution Control Regulation 61-62.70, <u>Title V Operating Permit Program</u> , and 61-62.1, Section II, <u>Permit Requirements</u> .	

Summary: M. L. Corley & Sons Sawmill, located in Lexington, South Carolina, operates a wood-processing facility that produces bark, sawdust, wood chips, and lumber. An inspection of the facility on January 14, 2002, indicated that M. L. Corley & Sons Sawmill had failed to record pressure drop readings on its baghouse and had constructed and operated a wood-waste boiler prior to applying for and obtaining the necessary permits from the Department. The new boiler was subject to Federal New Source Performance Standards, and notification of construction and startup was required. Department records indicate that M. L. Corley & Sons Sawmill failed to submit notifications of construction and operation of the boiler and submit an application for a Part 70 (Title V) Air Quality Operating Permit. The Department received a permit application on August 28, 2002.

Action: On April 23, 2002, the Department issued M. L. Corley & Sons Sawmill a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on June 4, 2002. A Consent Order was negotiated in which M. L. Corley & Sons Sawmill agreed to submit timely notifications; ensure that it applies for and obtains appropriate permits prior to constructing or altering sources of air contaminants; ensure that it records pressure drop readings for its baghouses; conduct a source test for particulate matter emissions from the wood-waste boiler no later than February 11, 2003, and pay a civil penalty in the amount of twelve thousand dollars (\$12,000.00).

6. <u>Order Type and No.:</u>	Consent Order 02-092-A
<u>Order Date:</u>	September 26, 2002
<u>Responsible Party:</u>	National Cement Company
<u>Location/Mailing Address:</u>	1020 Old Stage Road Simpsonville, S.C. 29681
<u>County:</u>	Greenville
<u>Previous Order(s):</u>	None
<u>Permit No.:</u>	1200-0183
<u>Violation(s) Cited:</u>	S.C. Code Ann. §48-1-110(d).

Summary: National Cement Company, located in Simpsonville, South Carolina, is a cement storage and distribution facility. The Department issued Operating Permit 1200-0183 to National Cement, effective August 2, 1995. An inspection conducted on October 9, 2001, and follow-up inspections conducted on December 18, 2001, and March 28, 2002, indicated that National Cement failed to limit the operation of its facility to ten hours per day, maintain a log indicating the number of hours per day of actual operation, maintain and operate system pressure drop gauges on its baghouses, and maintain a log of bag maintenance as required by its permit. New pressure drop gauges have been installed at the facility.

Action: On July 10, 2002, the Department issued National Cement a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on August 1, 2002. A Consent Order was negotiated in which National Cement agreed to operate its facility no more than ten hours per day, maintain a log indicating the number of hours per day of actual operation, maintain and operate system pressure drop gauges on its baghouses, maintain a log of bag maintenance, and pay a

civil penalty in the amount of six thousand five hundred dollars (\$6,500.00).

7. Order Type and No.: Consent Order 02-093-A
Order Date: October 8, 2002
Responsible Party: **Vulcan Construction Materials,
LP Dreyfus**
Location/Mailing Address: Rte. 1, Box 137 (Hwy. 215N)
Columbia, S.C. 29203
Counties: Richland
Previous Order(s): None
Permit No.: 1900-0017
Violation(s) Cited: U.S. EPA 40 CFR 60.8(a); South
Carolina Air Pollution Control Regulation 61-62.1, Section
IV.F.1; and South Carolina Air Pollution Control Regulation
61-62.1, Section II, Permit Requirements.

Summary: Vulcan Construction Materials, LP Dreyfus, Columbia, South Carolina, mines granite that is crushed and screened to various sizes. The facility operates crushers, screens, and conveyors pursuant to Operating Permit 1900-0017, effective December 7, 1998, and Construction Permit 1900-0017-CE, issued August 28, 2001. Department records indicate that the facility failed to conduct a Department-approved source test within sixty (60) days after achieving maximum production rate at which its tertiary crusher will be operated, failed to submit a final source test summary report no later than 30 days after completion of the source test, and failed to request an operating permit for the crusher.

Action: On July 15, 2002, the Department issued Vulcan Construction Materials, LP Dreyfus, a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on August 12, 2002. A Consent Order was issued in which Vulcan Construction Materials, LP Dreyfus, agreed to ensure that it submits final source test summary reports in accordance with the schedule in Department regulations; ensure that it applies for and obtains appropriate permits prior to constructing, altering, removing, adding, and operating any sources of air contaminants; submit to the Department a request for an operating permit for the tertiary crusher; and pay a civil penalty in the amount of eight thousand dollars (\$8,000.00). The penalty has been paid.

8. Order Type and No.: Consent Order #02-094-A
Order Date: October 11, 2002
Responsible Party: **SMI Steel, SMI Joist - Cayce; SMI Joist - Eastover; SMI-Owen Beltline; and Southern Post Columbia.**
Location/Mailing Address: HQ-North America
824 Greene Street
Columbia, S.C. 29202
County: Lexington and Richland
Previous Order(s): None
Permit No.: 1560-0087, 1560-0116, 1900-0150, 1900-0176, 1500-0110.
Violation(s) Cited: South Carolina Air Pollution Control Regulation 61-62.5, Standard 7, Prevention of Significant Deterioration; South Carolina Air Pollution Control Regulation 61-62.1, Permit Requirements; S.C. Code Ann. 48-1-90 and 48-1-110; U.S. Environmental Protection Agency 40 CFR 52.21, Prevention of Significant Deterioration of Air Quality; and, South Carolina Air Pollution Control Regulation 61-62.5, Standard 5.1, Lowest Achievable Rate ("LAER") Applicable to Volatile Organic Compounds.

Summary: SMI and its sister corporations own and operate numerous metal processing facilities in South Carolina. A review of Department records, including facility emissions and operational reports, revealed violations at five of these facilities, as follows:

SMI Steel: SMI Steel operates a steel manufacturing facility in Cayce, South Carolina. SMI Steel assumed Construction Permits 1560-0087-CA through -CK upon purchase of the facility from Owen Electric Steel in 1995. The permits contained specific production, emissions, and natural gas usage limits to avoid the permitting and control requirements of State and Federal Prevention of Significant Deterioration (PSD) Regulations. Results of a source test conducted by SMI Steel on April 21-22, 1999, indicated that sulfur dioxide and nitrogen oxide emissions exceeded the limits established by the permit. A review of Department records indicated that SMI Steel exceeded the production limitations of its permit during fifty-one (51) months from September 1997 to December 2001 and the natural gas usage limitations for ten (10) months from September 2000 to June 2001. Department records also indicate that SMI Steel made significant modifications to its rolling mill and reheat furnace

during 1998 and 1999. SMI failed to submit the necessary permit applications to address State and Federal PSD operational and control requirements. SMI Steel has applied for and received the required permits for the production and emissions increases.

SMI Joist - Cayce: SMI Joist - Cayce is a joist manufacturing and painting facility located in Cayce, South Carolina. SMI Joist operates pursuant to Construction Permits 1560-0116-CA and -CB, issued for the construction and operation of nine dip-coating tanks. The permits also required SMI Joist - Cayce to submit volatile organic compound (VOC) and hazardous air pollutant (HAP) emissions reports to the Department on quarterly basis. A review of Department records indicated that SMI Joist - Cayce failed to submit VOC and HAP emissions reports to the Department for the October 1996 through December 2000 reporting periods. SMI Joist - Cayce submitted a permit application on July 31, 2000, for existing spray-painting operations not previously permitted. The Department has issued the necessary construction permits and a Part 70 (Title V) Air Quality Operating Permit for the existing operations.

SMI Joist - Eastover: SMI Joist - Eastover is a joist manufacturing and painting facility located in Eastover, South Carolina. SMI Joist Eastover was issued Construction Permit 1900-0150-CA for the construction of a new dip tank. The permit required SMI Joist - Eastover to submit VOC and HAP emissions reports to the Department quarterly. A review of Department records indicated that SMI Joist - Eastover failed to submit VOC and HAP emissions reports to the Department for the October 1996 through December 2000 reporting periods. The Department issued Construction Permits 1900-0150-CB and -CC for two existing dip-coating tanks and one new tank, respectively. SMI Joist - Eastover also applied for a revision to its permits to include existing spray-painting operations. A review of Department records indicated that SMI Joist - Eastover failed to apply for and obtain the necessary permits prior to installing and operating the existing dip-coating tanks and spray-painting operations. Construction Permits -CA and -CB established a facility-wide VOC emissions limit of 100 tons per year to avoid the operational and emissions control requirements specified in the State LAER regulations. A review of Department records indicated that SMI Joist - Eastover exceeded the VOC limit in December 1998 without installing the necessary operational or emissions controls. SMI Joist - Eastover has subsequently submitted all past due reports and instituted the necessary operational controls to comply with the LAER requirements.

SMI-Owen Beltline: SMI-Owen Beltline paints structural steel parts at its facility in Columbia, South Carolina. SMI-Owen Beltline submitted a minor source construction permit application on November 13, 1998, for existing welding, sand blasting, and painting operations. A review of Department records indicated that SMI-Owen Beltline failed to apply for and obtain the necessary permits prior to constructing and operating the welding, sand blasting, and painting operations. SMI-Owen Beltline submitted additional information requested by the Department on April 20, 2000, and Construction Permit 1900-0176-CA was issued for the operations.

Southern Post Columbia: Southern Post Columbia fabricates and paints steel fence posts at its Lexington, South Carolina facility. The Department issued Construction Permit 1560-0110-CB to Southern Post Columbia on April 2, 1996, for construction of the manufacturing process. The permit required submission of quarterly VOC and HAP emissions reports to the Department. A review of Department records indicated that Southern Post Columbia failed to submit VOC and HAP emissions reports for the April 1996 through October 1997 and September 2001 through March 2002 reporting periods. Southern Post Columbia has submitted all available VOC and HAP emissions data for the reporting periods identified.

Action: Notices of Violation and Notices of Enforcement Conferences were issued to the facilities on August 23, September 28, and December 14, 2000, and Enforcement Conferences were held on September 14, and October 4, 2000, and January 31, 2001. A Consent Order was negotiated in which the facilities agreed to comply with emissions, production and raw material usage limits in their permits and State and Federal regulations, conduct multi-media environmental audits at eleven (11) facilities located within the State, and pay a civil penalty in the amount of three hundred twenty-five thousand dollars (\$325,000.00).

9. <u>Order Type and No.:</u>	Consent Order #02-096-A
<u>Order Date:</u>	October 8, 2002
<u>Responsible Party:</u>	Seppala Homes
<u>Location/Mailing Address:</u>	1530 South Highway 14 Greer, S.C. 29301
<u>County:</u>	Spartanburg and Greenville
<u>Previous Order(s):</u>	00-045-A, (\$2,500)

Permit No.: N/A
Violation(s) Cited: South Carolina Air Pollution
Control Regulation 61-62.2, Prohibition of Open Burning.

Summary: Seppala Homes, located in Greer, South Carolina, is a residential building contractor. Complaint investigations conducted on June 20 and June 24, 2002, at separate building sites indicated that Seppala Homes had burned or attempted to burn prohibited materials including nails, concrete, plywood, metal scraps, wire cable, cardboard, plastic buckets, sheetrock, and household trash.

Action: On July 12, 2002, the Department issued Seppala Homes a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on August 1, 2002. A Consent Order was negotiated in which Seppala Homes agreed to comply with Department Open Burning regulations and pay a civil penalty in the amount of ten thousand dollars (\$10,000.00).